

U.S.S.N. 10/064,695

- 6 -

201-0690 (FGT 1615 PA)

REMARKS

Examiner's comments in the Office Action dated November 7, 2003 have been carefully considered by Applicants. Claims 1 through 20 are pending in the application. Claims 1, 2, 4, 6, 8, and 12 are amended. In making such amendments, Applicants maintain that no new matter has been introduced into the present application. Applicants respectfully request reconsideration by the Examiner.

In the Office Action, claims 2 and 6 stand rejected under 35 U.S.C. §112. Claims 2 and 12 are amended and have proper antecedent basis and are supported by the specification in paragraph 72 and Figure 17 wherein the auxiliary tire is not a rolling tire in a rolling location and is not a spare tire in a spare location. Claims 1, 4 and 8 are amended. Claim 6 is amended to have proper antecedent basis.

In the Office Action, claims 1-3, 6, and 7 stand rejected under 35 U.S.C. §102(b) as being anticipated by *DeZorzi* (6,232,875). Applicants submit that the present claims are novel because the present device and the cited art differ.

Claim 1 is novel as set forth in the following six paragraphs.

Claim 1 is a method for operating a tire pressure monitoring system having an auxiliary tire in an auxiliary location and a warning status memory that requires receiving a speed signal corresponding to a vehicle speed. In the Office Action, Examiner suggests the *DeZorzi* reference discloses that the decoded signals include speed of the vehicle and identification information (Col. 3, lines 55-59; Col. 10, lines 18-21). However, *DeZorzi* teaches receiving a motion signal that is indicative of movement of the vehicle at or above a predetermined vehicle speed. The motion signal taught in the *DeZorzi* reference is indicative of movement. A centrifugal on/off switch set for particular angular velocity is used to trigger the transmission (it is not indicative of vehicle speed, it is indicative of surpassing a particular vehicle speed). (*DeZorzi*, Col. 10, lines 18-21 and Col 5, lines 4-6.) Claim 1 requires receiving a speed signal corresponding to a vehicle speed. *DeZorzi* discloses a "first" controller 64 for receiving the tire condition data signal transmitted by a "second" controller 72. ("first" and "second" added for clarification emphasis of the *DeZorzi* reference.) Further, *DeZorzi*

U.S.S.N. 10/064,695

- 7 -

201-0690 (FGT 1615 PA)

discloses that the "second" controller 72 receives the motion signal, which it then uses conditionally to determine when transmission of the data signal from the "second" controller 72 to the "first" controller 64 will occur, which is described as an energy saving feature of the "second" controller 72. However, the *DeZorzi* reference does not teach or suggest a condition data signal having vehicle speed received by a "first" controller 64. Claim 1 requires receiving a speed signal corresponding to a vehicle speed.

Claim 1 also requires generating a cumulative time signal corresponding to a cumulative receiving time of the transmitter identification signal. (Application [0074], figure 19). In specification paragraph 0074, the amount of time of a transmission is also monitored. The amount of time may for example, be the cumulative time or the cumulative time over a monitored period. The need to measure the amount of time is necessary so the pressure transmitter identifications that have been transmitted for a predetermined amount of time while the vehicle has been moving and thus these transmitters are most likely associated with the vehicle rather than a nearby vehicle. The *DeZorzi* system discloses an apparatus and method for controlling a tire condition module of a vehicle tire, specifically it discloses a "second" controller 72 controls the timing of tire condition measurements and the timing transmission of data messages according to its operating mode. *DeZorzi* uses time, durationaly, for the timing of each transmission of its data signal. The *DeZorzi* reference does not teach or suggest generating a cumulative time signal corresponding to a cumulative receiving time of the transmitter identification signal.

Furthermore, claim 1 requires when the speed is greater than a predetermined speed and when the cumulative time signal is greater than a predetermined time, associating the auxiliary sensor identification to the auxiliary location of the warning status memory. The *DeZorzi* reference does not teach or suggest when the speed is greater than a predetermined speed and when the cumulative time signal is greater than a predetermined time, associating the auxiliary sensor identification to the auxiliary location of the warning status memory.

In addition to the above-mentioned, claim 1 requires associating the auxiliary sensor identification to the auxiliary location of the warning status memory. The

U.S.S.N. 10/064,695

- 8 -

201-0690 (FGT 1615 PA)

auxiliary location of the warning status memory is in the tire pressure monitoring system. Applicants agree with Examiner that the *DeZorzi* reference discloses a "second" controller 72 that controls the timing of tire condition measurements and the timing transmission of data messages according to its operating mode. Applicants also agree with the Examiner that the *DeZorzi* reference discloses three operating modes for the "second" controller 72. The *DeZorzi* reference discloses that the "second" controller transmits a data signal to the "first" controller. In addition, *DeZorzi* discloses that the warning signals from the "first" controller 64 can be sent to an auxiliary location such as a hand-held portable device or a fob. The *DeZorzi* reference does not teach or suggest that the warning signals from the "second" or "first" controllers are associated to an auxiliary location of a memory of a device such as a hand-held portable device or a fob. Moreover, the *DeZorzi* reference does not teach or suggest associating the auxiliary sensor identification to the auxiliary location of the warning status memory.

Also, claim 1 requires associating the auxiliary sensor identification to the auxiliary location of the warning status memory when certain conditions are met (such as speed, time, identification). The *DeZorzi* system discloses a method for operating a tire pressure monitoring system that contains a spare tire(s), which is placed in a location other than the rolling tire location, and a programmable controller including memory for processing decoded signals to provide an audible indication or warning signal. The *DeZorzi* reference does not teach or suggest associating the sensor identification for the spare tire to a location of the warning status memory.

Broadly interpreted the *DeZorzi* reference discloses a system of transmitting a data signal from each "second" controller to a "first" controller under a given set of conditions (lapse of time, where time is dependent upon a operating mode). The *DeZorzi* reference does not teach or suggest associating the auxiliary sensor identification to an auxiliary location of the warning status memory. Furthermore, the *DeZorzi* reference does not teach or suggest associating the auxiliary sensor identification to an auxiliary location of the warning status memory when a given set of conditions are met (cumulative time and speed).

U.S.S.N. 10/064,695

- 9 -

201-0690 (FGT 1615 PA)

Claim 2 is novel for the reasons set forth with respect to claim 1 and being a further limitation of claim 1. Claim 2 is amended to correct its interpretation.

Claim 3 is novel for the reasons set forth with respect to claim 1 and being a further limitation of claim 1.

Claim 6 is novel for the reasons set forth with respect to claim 1. Claim 6 is not a further limitation of claim 2 and should not be so construed. Claim 6 is to be interpreted as a further limitation of claim 1 further comprising generating warning statuses for each tire in a rolling location, a spare location, and the auxiliary location. Claim 6 requires generating warning statuses for each tire in a rolling location, a spare location, and the auxiliary location. The *DeZorzi* reference does not teach or suggest generating warning statuses for each tire in a rolling location, a spare location, and the auxiliary location.

Claim 7 is novel for the reasons set forth with respect to claim 1 and being a further limitation of claim 1.

In the Office Action, claims 8-13, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *DeZorzi* (6,232,875). Applicant submits that the present claims are novel because the present device and the cited art differ.

Claim 8 is novel for the same reasons set forth with respect to claim 1. Also, Claim 8 requires receiving an auxiliary sensor transmission signal when the speed is greater than a predetermined speed. The *DeZorzi* system discloses an apparatus and method for controlling a tire condition module of a vehicle tire. The *DeZorzi* reference does not teach or suggest receiving an auxiliary sensor transmission signal when the speed is greater than a predetermined speed. Furthermore, claim 8 requires when the time signal is greater than a predetermined time, associating the auxiliary sensor identification to an auxiliary location of the warning status memory. The *DeZorzi* reference does not teach or suggest when the time signal is greater than a predetermined time, associating the auxiliary sensor identification to an auxiliary location of the warning status memory.

Claim 9 is novel for the same reasons set forth with respect to claim 1 and additional reasons set forth with respect to claim 8.

U.S.S.N. 10/064,695

- 10 -

201-0690 (FGT 1615 PA)

Claim 10 is novel for the reasons set forth with respect to claim 8 and being a further limitation of claim 8. In addition, claim 10 is novel for the same reason set forth in claim 6.

Claim 11 is novel for the reasons set forth with respect to claim 8 and being a further limitation of claim 8.

Claim 12 is novel for the reasons set forth with respect to claim 8 and being a further limitation of claim 8. Claim 12 is amended to correct its interpretation.

Claims 13 and 15 are novel for the reasons set forth with respect to claim 8 and being a further limitation of claim 8.

In the Office Action, claims 16-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *DeZorzi* (6,232,875). Applicants submit that the present claims are novel because the present device and the cited art differ.

Claim 16 is novel for the same reasons set forth with respect to claim 1 and claim 8. Also, Claim 16 requires a warning status memory having warning statuses therein. The *DeZorzi* system discloses an apparatus and method for controlling a tire condition module of a vehicle tire. The *DeZorzi* reference does not teach or suggest a warning status memory having warning statuses therein.

Claim 17 is novel for the same reasons set forth with respect to claim 16. In addition, claim 17 requires the controller to be RF coupled to the rolling transmitters, spare tire transmitter, and auxiliary transmitter. The *DeZorzi* reference does not teach or suggest that the controller is RF coupled to the rolling transmitters, spare tire transmitter, and auxiliary transmitter.

Claim 18 is novel for the reasons set forth with respect to claim 16 and being a further limitation of claim 16. In addition, claim 18 is novel for the same reason set forth in claim 2.

Claims 19 and 20 are novel for the reasons set forth with respect to claim 16 and being a further limitation of claim 16.

In the Office Action, claims 4, 5 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *DeZorzi* (6,232,875) in view of *Taylor* (1,954,153).

U.S.S.N. 10/064,695

- 11 -

201-0690 (FGT 1615 PA)

Claims 4, 5, and 14 are allowable for the reasons stated in Claims 1 and 8, respectively. Accordingly, Applicants respectfully requests that the rejection be withdrawn.

Accordingly, in view of the foregoing remarks, Applicants submit that claims 1-20 are allowable and in a proper condition for allowance. A Notice of Allowance indicating the same is therefore earnestly solicited. The Examiner is invited to telephone the Applicants' undersigned attorney at (248) 223-9500 if any unresolved matters remain.

Respectfully Submitted,

ARTZ & ARTZ P.C.



Kevin G. Mierzwa
Reg. No. 38,049
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

Dated: 2/6/04